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REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 20th, 21st and 27th meetings on 22 and 23 November and 8 December 1993 (see A/C.4/48/SR.20, 21 and 27). The general debate on the item took place at the 20th and 21st meetings, on 22 and 23 November.

3. The Fourth Committee had before it the following reports:

(a) Note by the Secretary-General transmitting the twenty-fifth report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/48/557);

(b) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 27 August to 30 November 1992 (A/48/96);

(c) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 1 December 1992 to 31 March 1993 (A/48/278);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 47/70 A (A/48/537);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 47/70 B (A/48/538);

(f) Report of the Secretary-General submitted in pursuance of General Assembly resolution 47/70 C (A/48/539);

(g) Report of the Secretary-General submitted in pursuance of General Assembly resolution 47/70 D (A/48/540);

(h) Report of the Secretary-General submitted in pursuance of General Assembly resolution 47/70 E (A/48/541);

(i) Report of the Secretary-General submitted in pursuance of General Assembly resolution 47/70 F (A/48/542);

(j) Report of the Secretary-General submitted in pursuance of General Assembly resolution 47/70 G (A/48/543).

4. The following documents were also before the Fourth Committee:

(a) Letter dated 16 March 1993 from the Permanent Representative of Senegal to the United Nations addressed to the Secretary-General (A/48/117-S/25428);

(b) Letter dated 14 April 1993 from the Chargé d'affaires a.i. of the Permanent Mission of the United Arab Emirates to the United Nations addressed to the Secretary-General (A/48/140-S/25597);

(c) Letters dated 9 and 14 June and 7 September 1993 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General (A/48/205-S/25923, A/48/209-S/25937, A/48/379-S/26411);

(d) Letters dated 6, 13, 28 and 30 July 1993 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/48/253-S/26045, A/48/263-S/26078, A/48/284-S/26191, A/48/287-S/26201);

(e) Letters dated 17 and 20 September 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Madagascar to the United Nations addressed to the Secretary-General (A/48/410-S/26465, A/48/415-S/26473).

5. At the 20th meeting, on 22 November, the representative of Sri Lanka, Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied

Territories, introduced the reports of that Committee (A/48/96, A/48/278 and A/48/557).

6. At the 27th meeting, on 8 December, the Permanent Observer of Palestine made a statement (see A/C.4/48/SR.27).

II. CONSIDERATION OF PROPOSALS

7. At its 27th meeting, on 8 December the Fourth Committee had before it four draft resolutions, as set forth below.

A. Draft resolution A/C.4/48/L.32

8. At the 27th meeting, on 8 December, the representative of Cuba introduced draft resolution A/C.4/48/L.32, which was finally sponsored by Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Egypt, Indonesia, Jordan, Malaysia, Mauritania, Qatar, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen.

9. At the same meeting, the Committee adopted draft resolution A/C.4/48/L.32 by a recorded vote of 81 to 2 with 52 abstentions (see para. 16, draft resolution A). 1/ The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Chad, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Grenada, Guinea, Guinea-Bissau, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

1/ Statements made in explanation of vote were made by the representatives of Australia, Belgium (on behalf of the European Union), Canada, the Islamic Republic of Iran, Israel, the Libyan Arab Jamahiriya, the Russian Federation, the Syrian Arab Republic and the United States of America.

Abstaining: Argentina, Armenia, Australia, Austria, Bahamas, Belarus, Belgium, Bolivia, Bulgaria, Cameroon, Canada, Central African Republic, Czech Republic, Denmark, Fiji, Finland, France, Germany, Greece, Guyana, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, Slovakia, Slovenia, Spain, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/C.4/48/L.33

10. At the 27th meeting, on 8 December, the representative of Cuba introduced draft resolution A/C.4/48/L.33, which was finally sponsored by Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Egypt, India, Indonesia, Jordan, Malaysia, Mauritania, Qatar, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen.

11. At the same meeting, the Committee adopted draft resolution A/C.4/48/L.33 by a recorded vote of 130 to 1, with 7 abstentions (see para. 16, draft resolution B). 1/ The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chad, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Finland, France, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Central African Republic, Fiji, Marshall Islands, Micronesia (Federated States of), Russian Federation, Samoa, United States of America.

C. Draft resolution A/C.4/48/L.34

12. At the 27th meeting, on 8 December, the representative of Cuba introduced draft resolution A/C.4/48/L.34, which was finally sponsored by Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Egypt, Indonesia, Jordan, Malaysia, Mauritania, Qatar, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen.

13. At the same meeting, the Committee adopted draft resolution A/C.4/48/L.34 by a recorded vote of 96 to 2, with 36 abstentions (see para. 16, draft resolution C). 1/ The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Cameroon, Chad, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, France, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Belgium, Bulgaria, Canada, Central African Republic, Czech Republic, Denmark, Fiji, Finland, Germany, Hungary, Iceland, Italy, Jamaica, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, Norway, Panama, Paraguay, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland.

D. Draft resolution A/C.4/48/L.35

14. At the 27th meeting, on 8 December, the representative of Cuba introduced draft resolution A/C.4/48/L.35, which was finally sponsored by Bangladesh, Brunei Darussalam, the Comoros, Cuba, Indonesia, Lebanon, Malaysia and the Syrian Arab Republic.

15. At the same meeting, the Committee adopted draft resolution A/C.4/48/L.35 by a recorded vote of 74 to 1, with 55 abstentions (see para. 16, draft resolution D). 1/ The voting was as follows:

In favour: Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Cameroon, Chile, China, Colombia, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Niger, Oman, Pakistan, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Bulgaria, Canada, Central African Republic, Côte d'Ivoire, Czech Republic, Denmark, Fiji, Finland, France, Germany, Greece, Grenada, Guinea-Bissau, Guyana, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Nigeria, Norway, Panama, Paraguay, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, Slovakia, Slovenia, Spain, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

16. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

A

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ as well as international standards of human rights, in particular the Universal Declaration of Human Rights 3/ and the International Covenants on Human Rights, 4/

Recalling its relevant resolutions, including resolution 2443 (XXIII) of 19 December 1968, and relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Aware of the uprising (intifadah) of the Palestinian people,

Convinced that occupation itself represents a primary violation of human rights,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories 5/ and the relevant reports of the Secretary-General, 6/

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization at Washington, D.C., on 13 September 1993, 7/

2/ United Nations, Treaty Series, vol. 75, No. 973.

3/ Resolution 217 A (III).

4/ Resolution 2200 A (XXI), annex.

5/ A/48/96, A/48/278 and A/48/557.

6/ A/48/537, A/48/538, A/48/539, A/48/540, A/48/541, A/48/542 and A/48/543.

7/ A/48/486-S/26560, annex.

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Demands that Israel cooperate with the Special Committee in implementing its mandate;

3. Deplores the policies and practices of Israel violating the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period; 5/

4. Expresses the hope that, in the light of the recent positive political developments, those policies and practices will be brought to an end immediately;

5. Requests the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory;

7. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

8. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly and periodically the reports mentioned in paragraph 6 above to Member States;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its forty-ninth session on the tasks entrusted to him in the present resolution;

9. Decides to include in the provisional agenda of its forty-ninth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

B

The General Assembly,

Bearing in mind the relevant resolutions of the Security Council,

Recalling its relevant resolutions,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories 5/ and the reports of the Secretary-General, 6/

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Stressing that Israel, the occupying Power, should strictly comply with its obligations under international law,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Demands that Israel accept the de jure applicability of the said Convention in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. Calls upon all States parties to the said Convention, in accordance with article 1 common to the four Geneva Conventions, 8/ to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

8/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

C

The General Assembly,

Bearing in mind the relevant resolutions of the Security Council,

Recalling its relevant resolutions and the resolutions of the Commission on Human Rights,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Gravely concerned about the violations of the human rights of the Palestinian people, as contained in the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, 5/ especially in the fields of collective punishment, closure of areas, annexation, establishment of settlements and mass deportation,

Gravely concerned also about the situation in the occupied Palestinian territory, including Jerusalem, and the other Arab territories occupied by Israel since 1967, resulting from the measures and actions taken by Israel, the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

Concerned about the dangerous situation resulting from actions taken by the illegal, armed settlers in the occupied territory,

Convinced of the positive impact of international presence in the occupied Palestinian territory to ensure compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/

Reaffirming the applicability of the said Geneva Convention to the occupied Palestinian territory, including Jerusalem, and the other Arab territories occupied by Israel since 1967,

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization, at Washington, D.C., on 13 September 1993, 7/

1. Determines that all measures and actions taken by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council, are illegal and have no validity, and demands that Israel desist forthwith from taking any such measures or actions;

2. Demands that Israel, the occupying Power, facilitate the return of all Palestinians deported from the occupied Palestinian territory since 1967;

3. Calls upon Israel, the occupying Power, to accelerate the release of all Palestinians arbitrarily detained or imprisoned;

4. Calls for complete respect by the occupying Power of all fundamental freedoms of the Palestinian people, such as the freedom of education, including the free operation of schools, universities and other educational institutions;

5. Reaffirms that the Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the other Arab territories occupied by Israel since 1967 are illegal and an obstacle to peace;

6. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

D

The General Assembly,

Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989, 44/48 F of 8 December 1989, 45/74 F of 11 December 1990, 46/47 F of 9 December 1991 and 47/70 F of 14 December 1992,

Having considered the report of the Secretary-General of 29 October 1993, 9/

Recalling its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations,

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9/ A/48/542.

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/

Reaffirming the applicability of the said Convention to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

1. Condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions on the occupied Syrian Golan, and in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decisions;

2. Also condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular the establishment of settlements;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Denounces attempts by Israel forcibly to impose Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and calls upon it to desist from its repressive measures against the population of the occupied Syrian Golan;

5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

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COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 21st to 26th meetings, on 23, 29 and 30 November 1993 (see A/C.4/48/SR.21-26). The general debate on the item took place at the 22nd to 26th meetings, on 24, 29 and 30 November (see A/C.4/48/SR.22-26).

3. In connection with item 87, the Fourth Committee had before it the report of the Special Committee on Peace-keeping Operations (A/48/173).

4. The Fourth Committee also had before it the reports of the Secretary-General relating to the security of United Nations operations (A/48/349-S/26358) and to improving the capacity of the United Nations for peace-keeping (A/48/403/Add.1-S/26450/Add.1 and Add.1/Corr.1).

5. Also before the Fourth Committee were the following documents:

(a) Letter dated 26 April 1993 from the Chargé d'affaires a.i. of the Permanent Mission of New Zealand to the United Nations addressed to the Secretary-General (A/48/158);

(b) Letter dated 4 August 1993 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General (A/48/291-S/26242);

(c) Letter dated 18 October 1993 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (A/48/515-S/26605).

6. At the 22nd meeting, on 24 November 1993, the Chairman drew attention to the report of the Special Political Committee on Peace-keeping Operations (A/48/173) and the report of the Secretary-General relating to the security of United Nations operations (/A/48/349-S/26358).

7. At the 26th meeting, on 30 November, statements were made by the Under-Secretary-General for Peace-keeping Operations and by the Assistant Secretary-General, Officer-in-charge of the Department of Public Information of the Secretariat (see A/C.4/48/SR.26).

II. CONSIDERATION OF DRAFT RESOLUTIONS A/C.4/48/L.18 AND A/C.4/48/L.19

8. At the 22nd meeting, on 24 November 1993, the representative of Nigeria, in his capacity as Chairman of the Special Committee on Peace-keeping Operations, introduced a draft resolution entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects" (A/C.4/48/L.18), which was finally sponsored by Argentina, Canada, Egypt, Fiji, Japan, Nigeria and Poland.

9. At the same meeting, the representative of Norway introduced a draft resolution entitled "Strengthening United Nations command and control capabilities" (A/C.4/48/L.19), which was finally sponsored by Argentina, Australia, Austria, Canada, Denmark, Fiji, Finland, France, Germany, Iceland, Ireland, the Netherlands, New Zealand, Norway, Poland, the Russian Federation, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay.

10. At the 26th meeting, on 30 November, the Secretary of the Fourth Committee made a statement on programme budget implications relating to draft resolutions A/C.4/48/L.18 and A/C.4/48/L.19, (see A/C.4/48/SR.26).

11. At the same meeting, the representative of Canada introduced oral revisions to daft resolution A/C.4/48/L.18, stating that paragraph 76 (a) should read as follows:

> "Will give consideration to promoting the elaboration of a declaration that would, inter alia, reaffirm the principles of international law and the obligations of Member States concerning the status and safety of United Nations personnel;".

12. At the same meeting, the Fourth Committee adopted draft resolution A/C.4/48/L.18, as orally revised, without a vote (see para. 15, draft resolution I).

13. Also at the 26th meeting, the Fourth Committee adopted draft resolution A/C.4/48/L.19 without a vote (see para. 15, draft resolution II).

14. At the same meeting, statements were made by the representatives of Brazil, Italy and Rwanda (see A/C.4/48/SR.26).

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

15. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Comprehensive review of the whole question of peace-keeping operations in all their aspects

The General Assembly,

Recalling its resolution 2006 (XIX) of 18 February 1965 and all other relevant resolutions,

Recalling, in particular, its resolutions 47/71 and 47/72 of 14 December 1992,

Welcoming the progress made by the Special Committee on Peace-keeping Operations during its recent sessions,

Convinced that peace-keeping operations constitute a considerable part of the efforts by the United Nations to maintain international peace and security and enhance the effectiveness of the United Nations in this regard,

Recognizing that the peacemaking activities of the Secretary-General and of organs of the United Nations, which are actions to bring hostile parties to agreement essentially through such peaceful means as those foreseen in Chapter VI of the Charter of the United Nations, constitute an essential function of the United Nations and are among the important means for the prevention, containment and resolution of disputes, the continuance of which is likely to endanger the maintenance of international peace and security,

Emphasizing that respect for the principles of sovereignty, territorial integrity and political independence of States and non-intervention in matters which are essentially within the domestic jurisdiction of any States is crucial to any common endeavour to promote international peace and security,

Taking note of the statement by the President of the Security Council of 28 May 1993 and the recommendations contained therein, 1/

1/ S/25859.

Convinced that in order to ensure the effectiveness of peace-keeping operations it is necessary that they have precise and clearly defined mandates,

Taking into account that the increase in activities in the field of United Nations peace-keeping requires both increasing and better managed human, financial and material resources for the Organization,

Aware of the extremely difficult financial situation of the United Nations as described in the report of the Secretary-General 2/ and of the heavy burden on all the troop contributors, many of which are developing countries,

Taking note of the report of the Secretary-General on the work of the Organization, 3/ having examined the report of the Special Committee on Peace-keeping Operations, 4/ and being aware of the relevant parts of the report of the Joint Inspection Unit on staffing of the United Nations peace-keeping and related missions (civilian component), 5/

1. Welcomes the report of the Special Committee on Peace-keeping Operations;

Resources

2. Notes with appreciation the initiative of the Secretary-General in establishing a stand-by forces planning team and looks forward to periodic reports on that initiative;

3. Recommends that contact between the Secretariat and Member States should be enhanced with a view to clarifying the military and civilian needs for United Nations peace-keeping operations and such capabilities of Member States as could be made available for those operations;

4. Encourages Member States, to the extent that their domestic arrangements permit, to develop, in cooperation with the Secretariat, arrangements for military, police and civilian personnel to participate in peace-keeping operations and to notify the Secretary-General of the existence and the modalities of such arrangements on an ongoing basis;

5. Calls upon the Secretary-General to develop a proposal for regularly updated data banks recording the type and availability of resources Member States could provide, as described in paragraph 4 above, as well as individuals

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2/ A/48/503 and Add.1.

3/ A/48/1.

4/ A/48/173.

5/ A/48/421, annex.

with skills appropriate for civilian peace-keeping duties, and invites the Secretary-General to propose such other measures as he believes necessary to meet the urgent need for timely availability of personnel qualified to serve in the full spectrum of civilian peace-keeping capacities;

6. Stresses the need for the United Nations to be given the resources commensurate with its growing responsibilities in the area of peace-keeping, particularly with regard to the resources needed for the start-up phase of such operations;

7. Takes note of the recommendations of the Secretary-General concerning the timely provision of basic peace-keeping equipment 6/ and suggests the development of a limited revolving reserve of such equipment within existing resources;

8. Invites the Secretary-General to consult in advance with Member States on their willingness to earmark certain equipment specified by the Secretary-General for immediate sale, loan or donation to the United Nations when required;

9. Encourages Member States to make available air and sea-lift resources to the United Nations at the best available rates in accordance with the financial rules and regulations of the United Nations;

10. Requests the Secretariat to develop guidelines concerning the disposition of United Nations equipment upon the termination of a peace-keeping operation;

Finances

11. Recalls that the financing of peace-keeping operations is the collective responsibility of all Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations; notes the report of the Secretary-General on improving the financial situation of the United Nations; 2/ reiterates its call upon all Member States to pay their assessed contributions in full and on time and encourages States to make voluntary contributions in accordance with the Financial Regulations and Rules of the United Nations;

12. Invites the Secretary-General to review, as appropriate, the applicable United Nations financial and administrative regulations concerning peace-keeping operations and, to that end, urges that steps be taken to strengthen lateral communication and the distribution of information within the Secretariat;

13. Requests that the Secretary-General improve the financial control mechanisms relative to peace-keeping by strengthening the system of audit and inspection, including external controls, and stresses the need to ensure that appropriate accountability is maintained and, in that regard, notes with

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6/ See A/47/965-S/25944.

appreciation recent steps to strengthen the capacity for independent oversight and investigation;

14. Stresses the need to delegate the appropriate degree of financial and administrative authority to Force Commanders or Special Representatives while ensuring that measures relating to responsibility and accountability are strengthened in order to increase the missions' capacity to adjust to new situations and specific requirements;

15. Notes that a number of military officers have been made available on loan on a non-reimbursable basis to the Secretariat at its request and welcomes the efforts of the Secretary-General to implement financial arrangements, within existing resources, which would enable all Member States to contribute to such a system in the future and would ease the costs borne by Member States contributing those officers;

16. Calls upon the Secretariat to prepare comprehensive budget estimates for all new and ongoing peace-keeping operations in a timely fashion in order to allow for a thorough examination by the Advisory Committee on Administrative and Budgetary Questions and the General Assembly;

17. Stresses the importance of reimbursing all outstanding dues of troop-contributing or other participating States without delay and notes the report of the Secretary-General in that regard; 2/

18. Reaffirms the competence of the General Assembly for the appropriation and apportionment of the costs of United Nations peace-keeping operations, and notes the importance for the Security Council to be aware of, inter alia, the availability of adequate physical and material resources and the cost implications before it establishes new peace-keeping operations;

19. Considers that the issue of supplementing diversified financial resources to the assessed contributions should be studied further in all the appropriate United Nations forums;

20. Encourages the consideration in the appropriate forums of further measures that could improve the financing of peace-keeping operations, including the feasibility of an improved billing system;

21. Requests the Secretary-General to consult with Member States during his current review of the rates of reimbursement for depreciation of contingent-owned equipment deployed at the request of the United Nations;

22. Requests the Secretariat to compile all the existing financial and administrative rules, regulations, practices and procedures relating to peace-keeping into a comprehensive document available to Member States;

23. Welcomes the creation of the Peace-keeping Reserve Fund, notes the importance of adequate resources for peace-keeping start-up costs and that sufficient resources have not been made available for this purpose, stresses that the Fund should be supplied with the amount specified in General Assembly resolution 47/217 of 23 December 1992, thereby creating the Fund as soon as

possible, and emphasizes that the Fund should, in the future, serve as an essential source of funds for peace-keeping start-up costs;

Organization and effectiveness

24. Suggests that the Security Council and the Secretary-General should continue to analyse a given situation very carefully before the establishment of a United Nations peace-keeping operation; that a realistic mandate, including clear objectives and a time-frame for the resolution of the problem, as appropriate, should be formulated in each case, conducive to the furtherance of the political process; that the Security Council should review periodically the effectiveness of current operations with a view to ensuring that they are consistent with the objectives and the mandates as approved by the Council, and affirms that no change in the mandate, character or duration of peace-keeping operations authorized by the Security Council is possible except through a specific decision of the Council;

25. Notes with appreciation the steps taken by the Secretary-General to strengthen and reform those units of the Secretariat dealing with peace-keeping, as outlined in his report on the implementation of the recommendations contained in "An Agenda for Peace"; 6/

26. Stresses the need for the Secretariat to deal effectively and efficiently with planning, launching, managing and providing administrative and logistics support to peace-keeping operations and urges the Secretary-General, as the chief administrative officer of the Organization, in consultation with Member States, to initiate a comprehensive review of the role, tasks and functions, including civilian functions, of the various units of the Secretariat with a view to identifying the optimum Secretariat structure in that respect and to assuring the unity of command and control indispensable for successful peace-keeping by assigning executive responsibility for all aspects of a peace-keeping operation to the Department of Peace-keeping Operations of the Secretariat;

27. Stresses the importance of coordination of all aspects of the planning process in peace-keeping operations and suggests that the emergency relief coordinator should be fully consulted in the overall planning of a peace-keeping operation when the mandate for such an operation contains a humanitarian component and in other cases should be consulted at an early stage when close coordination between humanitarian and peace-keeping activities is required;

28. Takes note of the transfer of the Field Operations Division from the Department of Administration and Management to the Department of Peace-keeping Operations, and encourages the Secretary-General to continue his efforts to strengthen and make more effective planning, management and administrative support for peace-keeping operations and the capability of the Secretariat for overall evaluation and analysis of peace-keeping operations from their initial stages to their conclusion;

29. Urges the Secretary-General in his review of Secretariat capabilities to improve information flow and to enhance coordination and communication

between United Nations Headquarters and field missions in order effectively to manage peace-keeping operations and inform Member States as appropriate;

30. Requests the Secretary-General to keep Member States informed on organizational responsibilities of the various units of those Secretariat departments responsible for peace-keeping operations;

31. Invites the Secretary-General to identify a focal point for contact by Member States seeking information on all facets, including operational, logistics and administrative matters, of ongoing and planned peace-keeping operations;

32. Also invites the Secretary-General to continue arrangements and procedures for providing additional personnel on a short-term basis in order to ensure that the Secretariat can respond effectively and efficiently to fluctuations in its workload, particularly when new operations are planned and launched, and to keep the Member States informed of such procedures;

33. Once again invites the Secretary-General to consider means whereby Special Representatives, Force Commanders and other key personnel of newly approved missions are identified and involved in the planning process at the earliest possible time;

34. Welcomes the establishment in the Department of Peace-keeping Operations of a 24-hour/7-day-a-week situation centre which will be equipped with appropriately standardized communications and information management systems so as to enhance the management of all peace-keeping operations and requests the Secretary-General to keep under review the efficiency and efficacy of the situation centre;

35. Welcomes the initiative of the Secretariat in establishing a logistics doctrine and procedures project charged with developing a set of guidelines of United Nations logistics doctrine and procedures in order to standardize logistics practices and procedures and thereby enhance the efficiency and effectiveness of logistics support to peace-keeping operations;

36. Requests the Secretary-General to consider, in the ongoing restructuring of the Secretariat, the inclusion of a logistics planning capability in the Department of Peace-keeping Operations which would consider all aspects of support required for peace-keeping operations;

37. Stresses that the conclusion of a status-of-forces agreement between the United Nations and a host State is of the utmost importance when deploying peace-keeping operations and calls upon host States to give their fullest cooperation in that regard, and recommends that after the establishment of a peace-keeping operation by the Security Council the concerned Member States should cooperate fully with the operation in the implementation of its mandate;

38. Requests the Secretary-General to include in the status-of-forces agreement between the United Nations and host States, requirements for host States to treat United Nations peace-keeping forces at all times with full respect for the principles and relevant Articles of the Charter; for United

Nations peace-keeping forces to respect local laws and regulations and for both parties to such an agreement to act at all times in accordance with the provisions of the status-of-forces agreement and the principles and relevant Articles of the Charter;

39. Notes the importance of concluding arrangements between the United Nations and troop contributors before deployment occurs and urges implementation of the agreements along the lines of the model agreement outlined in the report of the Secretary-General of 23 May 1991; 7/

40. Requests the Secretary-General to include, in the agreements to be concluded with States providing contingents, a clause by which those States would ensure that the members of their contingents serving in United Nations peace-keeping operations are fully acquainted with the principles and rules of relevant international law, in particular international humanitarian law and the purposes and principles of the Charter;

41. Stresses the importance of the institution of appropriate rules of engagement, on a case-by-case basis, for all United Nations peace-keeping operations;

42. Notes the recent increase in the number of peace-keeping operations, and requests the Secretary-General to prepare a detailed report on operations that have significant difficulties in implementing their mandates by highlighting the root causes of such difficulties and suggesting possible measures to address them;

43. Requests the Secretary-General, once again, to report periodically to Member States on the performance of all peace-keeping operations;

44. Welcomes the increasingly frequent informal consultations between the Secretariat and contributing States, strongly recommends the continuation of such consultations on peace-keeping operations from their initial stages to their conclusion and strongly encourages the presence of the President of the Security Council and other members of the Council, as appropriate, at such consultations;

45. Recognizes that the training of peace-keeping personnel is primarily the responsibility of Member States;

46. Welcomes the establishment of a focal point for peace-keeping training in the Department of Peace-keeping Operations and recommends that the focal point act as the coordinating centre for the relationship between the United Nations and national and regional training facilities;

47. Requests the Secretary-General to review and improve arrangements for training civilian, police and military peace-keeping personnel, using the appropriate capabilities of Member States, regional organizations and

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7/ A/46/185 and Corr.1, annex.

arrangements, in accordance with their constitutional mandates and Chapter VIII of the Charter, and of non-governmental organizations and the Secretariat;

48. Acknowledges the increasing challenge of forging large and cohesive peace-keeping missions from many and diverse contingents, stresses the need for the effective training of civilian, police and military personnel before deployment and, in that regard, urges the Secretary-General to develop, in consultation with Member States, official United Nations guidelines combined with performance goals for individuals and units, so that peace-keepers can be trained within a national framework in accordance with agreed-upon common standards, skills, practices and procedures;

49. Requests the Secretary-General to develop and publish peace-keeping training guidelines, manuals and other relevant training material, including material for correspondence instruction, in order to assist Member States in preparing their civilian, police and military personnel for peace-keeping operations in a standardized and cost-effective manner;

50. Also requests the Secretary-General, in close consultation with Member States, to initiate, within resources which may be allocated for training purposes, a trial programme designed to train national peace-keeping trainers as a supplement to national training programmes, as well as to develop a proposal to strengthen the leadership cadre available for peace-keeping by training potential Force Commanders and senior military and civilian personnel for peace-keeping leadership and management duties;

51. Recommends that training for peace-keeping operations should, as appropriate, be included in the training of those military, civilian and police personnel being sent on peace-keeping operations and encourages Member States that have already developed such training to share information and experience with other Member States;

52. Strongly recommends that peace-keeping operations personnel be made generally aware of relevant local laws and customs of the host State and of the importance of respecting them;

53. Encourages troop contributors to consider arrangements between themselves for the loan and/or exchange of peace-keeping operations experts to enhance operational effectiveness through sharing of information and experience gained in peace-keeping operations;

54. Once again requests the Secretary-General to consider establishing a training programme for key staff personnel of peace-keeping operations with a view to creating a pool of trained personnel with knowledge of the United Nations system and its working procedures;

55. Recognizes that public information on peace-keeping operations, particularly an understanding of their mandates, is important and calls for significant enhancement of the press and public information function for peace-keeping missions and in particular for rapid deployment at the start of a peace-keeping operation of a robust and professional media outreach programme in the area of operation commensurate with the scope and needs of the missions;

56. Requests the Secretary-General, in consultation with Member States, to establish guidelines for the public information function of peace-keeping operations;

57. Requests the Secretariat immediately to make all necessary arrangements for the reissue of The Blue Helmets in 1995;

58. Also requests the Secretariat to take the appropriate steps to record, in a dignified and yet simple manner in a public area of the United Nations Headquarters, the names of those who have given their lives in the service of United Nations peace-keeping operations;

59. Welcomes the intention of the Secretariat to establish a memorial dedicated to those peace-keepers who have given their lives in the service of peace;

Issues arising from "An Agenda for Peace"

60. Takes note of its resolutions 47/120 A of 18 December 1992 and 47/120 B of 20 September 1993 and of the report of the Secretary-General on the implementation of the recommendations contained in "An Agenda for Peace"; 6/ welcomes the efforts of the Secretary-General to take appropriate steps through preventive diplomacy and, recognizing the need for those steps to be based on timely and accurate knowledge of relevant facts, encourages the Secretary-General to strengthen the capability of the Secretariat to secure and analyse all relevant information from as wide a variety of sources as possible in accordance with the relevant provisions of the Charter; urges Member States to assist the Secretary-General in this regard and requests the Secretary-General to keep the Member States regularly informed of such capabilities and mechanisms;

61. Reaffirms its resolution 47/120 B, in particular section II entitled "Preventive deployment and demilitarized zones", and, in this context, recalls the importance of considering, on a case-by-case basis, the use of preventive deployment and/or the establishment of demilitarized zones as a means to prevent existing or potential disputes from escalating into conflicts and to promote efforts to achieve the peaceful settlement of such disputes, the continuance of which is likely to endanger the maintenance of international peace and security;

62. Encourages, in accordance with Chapter VIII of the Charter, the involvement of Member States through regional organizations and arrangements, as appropriate, in accordance with their respective areas of competence and the purposes and principles of the United Nations;

63. Welcomes efforts by the Secretary-General to develop, in consultation with Member States, a set of guidelines governing cooperation between the United Nations and regional organizations;

64. Takes note of the existing cooperation between the United Nations and regional organizations, in particular in the area of peace-keeping;

65. Requests the Secretary-General, in accordance with Chapter VIII of the Charter, to consider ways to provide advice and assistance, in a variety of forms such as advisory services, seminars and conferences, to regional organizations and arrangements in their respective areas of competence, to enhance their capacity to cooperate with the United Nations in the field of peace-keeping operations;

66. Resolves to continue consideration of these items;

Status and safety of United Nations peace-keeping personnel

67. Urges all Member States in whose territory United Nations peace-keeping operations are conducted to provide, in accordance with relevant Articles of the Charter and other instruments, comprehensive support to all United Nations peace-keeping operations personnel in fulfilling their functions, as well as to take all necessary measures to ensure respect for and guarantee the safety and security of those personnel;

68. Considers that any State in whose territory a United Nations peace-keeping operation is conducted should act promptly to deter and prosecute all those responsible for attacks and other acts of violence against all personnel of United Nations peace-keeping operations;

69. Notes the particular difficulties and dangers that can arise when United Nations peace-keeping operations are conducted in situations where no authority exercises jurisdiction or discharges responsibilities with regard to ensuring the safety and security of United Nations personnel and in such an eventuality agrees that measures appropriate to the particular circumstances and in accordance with the purposes and principles of the United Nations should be considered by the Security Council and other appropriate bodies of the United Nations;

70. Emphasizes the importance of all relevant information on conditions in the field of operations for the safety of United Nations peace-keepers and invites the Secretariat to adopt measures to secure and analyse such information from as wide a variety of sources as possible for immediate transmission to field missions;

71. Considers that it is the responsibility of host countries to disseminate to their populations necessary information on the role of peace-keeping operations and the inviolability of the safety of peace-keepers, including the information the United Nations may make available for that purpose;

72. Considers that host countries are required to provide all available information in a timely manner to the United Nations and the respective peace-keeping missions in the field on any potential dangers that might jeopardize the safety of the peace-keepers, and that that requirement should be clearly specified in the status-of-forces agreement;

73. Urges the Secretary-General to review the current arrangements of compensation for death, injury, disability or illness attributable to peace-keeping service with a view to developing equitable and appropriate arrangements, and to ensure expeditious reimbursement;

74. Recognizes that conditions in the field require practical steps aimed at enhancing the necessary operational, political and legal environment to deal effectively with the problem of the growing vulnerability of United Nations operations personnel deployed in the field;

75. Requests the Secretary-General to take concrete steps to improve the physical security of all United Nations peace-keeping personnel deployed in the field, including all aspects related to material, organizational, operational and other aspects of safety;

76. Welcomes the report of the Secretary-General on current measures and new proposals to ensure and enhance the security of United Nations operations, 8/ and will consider what further steps might be taken to enhance their status and safety taking into account the need for concerted action by all relevant bodies of the United Nations and in that context welcomes resolution 868 (1993) adopted by the Security Council on 29 September 1993, in which connection, the General Assembly:

(a) Will give consideration to promoting the elaboration of a declaration that would, inter alia, reaffirm the principles of international law and the obligations of Member States concerning the status and safety of United Nations personnel;

(b) Calls upon the Security Council to include in mandates for the deployment of United Nations personnel, specific provisions recalling the obligations of Member States and the expectations of the United Nations concerning the status and safety of United Nations personnel;

(c) Notes that a legally binding international instrument to reinforce the existing arrangements regarding the status and safety of United Nations personnel is being considered by the Sixth Committee;

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77. Recommends that, should any of the proposals contained in the present resolution result in budgetary implications for the biennium 1994-1995, such additional costs should be accommodated within the appropriation level approved by the General Assembly for this biennium;

78. Decides that the Special Committee on Peace-keeping Operations, in accordance with its mandate, should continue its efforts for a comprehensive review of the whole question of peace-keeping operations in all their aspects;

8/ A/48/349-S/26358.

79. Requests the Secretary-General to ensure that full conference services, including translation of official documents and simultaneous translation into all official languages, are provided to the Special Committee and its working group whenever they meet, normally for up to one month in April and May;

80. Also requests the Special Committee to submit a report on its work to the General Assembly at its forty-ninth session;

81. Invites Member States to submit further observations and suggestions on peace-keeping operations to the Secretary-General by 1 March 1994, outlining practical proposals on specific items in order to allow for more detailed consideration by the Special Committee;

82. Requests the Secretary-General to prepare, within existing resources, a compilation of the above-mentioned observations and suggestions and to submit it to the Special Committee by 30 March 1994;

83. Decides to include in the provisional agenda of its forty-ninth session the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects".

DRAFT RESOLUTION II

Strengthening United Nations command and control capabilities

The General Assembly,

Taking note of the report of the Special Committee on Peace-keeping Operations, 9/

Taking into account the rapid growth in the number, size, complexity and cost of United Nations peace-keeping operations,

Noting the proposals put forward by the Secretary-General in the proposed programme budget for the biennium 1994-1995 for a strengthening of the peace-keeping capabilities in the Secretariat as well as his initiative to establish a stand-by forces planning team,

Aware of the need to strengthen the capability of the United Nations to plan, conduct and coordinate United Nations peace-keeping operations and of the need for extending and deepening ongoing consultations between the Secretary-General and troop-contributing States concerning specific peace-keeping operations and to involve more closely the members of the Security Council in such consultations,

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9/ A/48/173.

1. Stresses the need to strengthen the capabilities of the United Nations Secretariat for the operational management, command and control of peace-keeping operations based on unity of instruction and clearly established lines of command in such operations, including a fully staffed and equipped situation centre covering all peace-keeping operations;

2. Calls upon the Secretary-General, in cooperation with the members of the Security Council, troop-contributing States and other interested Member States:

(a) To review thoroughly and take urgent steps to strengthen present arrangements for political direction, military command and control and to improve coordination with humanitarian and civilian aspects of peace-keeping operations, both at United Nations Headquarters and in the field;

(b) To strengthen existing arrangements for consultation and exchange of information at an early stage between the Secretary-General and troop-contributing countries and to hold such consultations in the presence of members of the Security Council, as appropriate, for the planning, management and coordination of peace-keeping operations;

(c) To report to Member States on the steps taken under subparagraphs (a) and (b) above, before the next session of the Special Committee on Peace-keeping Operations.

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QUESTIONS RELATING TO INFORMATION

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Questions relating to information" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 8th to 14th, 17th and 18th meetings, held between 25 October and 15 November 1993 (see A/C.4/48/SR.8-14, 17 and 18).

3. The Fourth Committee had before it the following documents:

(a) Report of the Committee on Information; 1/

(b) Report of the Secretary-General (A/48/407).

4. At the 8th meeting, on 25 October, the Assistant Secretary-General for Public Information made an introductory statement on the activities of the Department of Public Information (see A/C.4/48/SR.8).

5. At the same meeting, the Acting Chairman of the Committee on Information introduced the report of the Committee and the draft resolutions contained therein (A/48/21, para. 86). The Director of the Liaison Office of the United

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1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 21 (A/48/21).

Nations Educational, Scientific and Cultural Organization (UNESCO) also made a statement.

6. At the 14th meeting, on 1 November, the Assistant Secretary-General for Public Information made a concluding statement (see A/C.4/48/SR.14).

7. At the 18th meeting, on 15 November, the Officer-in-Charge of the Department of Public Information made a statement (see A/C.4/48/SR.18).

II. CONSIDERATION OF PROPOSALS

8. At the 13th meeting, on 29 October, the Chairman of the Fourth Committee drew attention to document A/C.4/48/L.15 on the programme budget implications relating to draft resolution B contained in document A/48/21, paragraph 86.

9. At the 17th meeting, on 11 November, the Chairman drew attention to a draft decision contained in document A/C.4/48/L.17.

10. At the 18th meeting, on 15 November, on the proposal of the Chairman, the Fourth Committee decided, by general agreement, to consider and take a decision at one and the same time on the five draft proposals before it relating to the item.

11. At the same meeting, the Committee adopted, without a vote, draft resolutions A and B (see para. 13) and draft decisions I and II (see para. 14), contained in paragraphs 86 and 87 to 89 of document A/48/21, as well as draft decision A/C.4/48/L.17 (see para. 14, draft decision III).

12. At the same meeting, statements were made by the representatives of the Libyan Arab Jamahiriya, the Islamic Republic of Iran and the Sudan (see A/C.4/48/SR.18).

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

13. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION A

Information in the service of humanity

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information, 2/

Also taking note of the report of the Secretary-General on questions relating to information, 3/

Urges that all countries, organizations of the United Nations system as a whole and all others concerned, reaffirming their commitment to the principles of the Charter of the United Nations and to the principles of freedom of the press and freedom of information, as well as to those of the independence, pluralism and diversity of the media, deeply concerned by the disparities existing between developed and developing countries and the consequences of every kind arising from those disparities that affect the capability of the public, private or other media and individuals in developing countries to disseminate information and communicate their views and their cultural and ethical values through endogenous cultural production, as well as to ensure the diversity of sources and their free access to information, recognizing the call in this context for what in the United Nations and at various international forums has been termed "a new world information and communication order, seen as an evolving and continuous process", should:

(a) Cooperate and interact with a view to reducing existing disparities in information flows at all levels by increasing assistance for the development of communication infrastructures and capabilities in developing countries, with due regard for their needs and the priorities attached to such areas by those countries, and in order to enable them and the public, private or other media in developing countries to develop their own information and communication policies freely and independently and increase the participation of media and individuals in the communication process, and to ensure a free flow of information at all levels;

(b) Ensure for journalists the free and effective performance of their professional tasks and condemn resolutely all attacks against them;

(c) Provide support for the continuation and strengthening of practical training programmes for broadcasters and journalists from public, private and other media in developing countries;

2/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 21 (A/48/21).

3/ A/48/407.

(d) Enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communication capacities and to improve the media infrastructure and communication technology in the developing countries, especially in the areas of training and dissemination of information;

(e) Aim, in addition to bilateral cooperation, at providing all possible support and assistance to the developing countries and their media, public, private or other, with due regard to their interests and needs in the field of information and to action already adopted within the United Nations system, including:

(i) The development of the human and technical resources that are indispensable for the improvement of information and communication systems in developing countries and support for the continuation and strengthening of practical training programmes, such as those already operating under both public and private auspices throughout the developing world;

(ii) The creation of conditions that will enable developing countries and their media, public, private or other, to have, by using their national and regional resources, the communication technology suited to their national needs, as well as the necessary programme material, especially for radio and television broadcasting;

(iii) Assistance in establishing and promoting telecommunication links at the subregional, regional and interregional levels, especially among developing countries;

(iv) The facilitation, as appropriate, of access by the developing countries to advanced communication technology available on the open market;

(f) Provide full support for the International Programme for the Development of Communication of the United Nations Educational, Scientific and Cultural Organization, which should support both public and private media.

DRAFT RESOLUTION B

United Nations public information policies and activities

The General Assembly,

Reaffirming the primary role of the General Assembly in elaborating, coordinating and harmonizing United Nations policies and activities in the field of information,

Also reaffirming that the Secretary-General should ensure that the activities of the Department of Public Information of the Secretariat, as the focal point of the public information tasks of the United Nations, are strengthened and improved, keeping in view the purposes and principles of the

Charter of the United Nations, the priority areas defined by the General Assembly and the recommendations of the Committee on Information,

Taking note of all reports of the Secretary-General submitted to the Committee on Information at its fifteenth session,

1. Decides to consolidate the role of the Committee on Information as its main subsidiary body mandated to make recommendations relating to the work of the Department of Public Information of the Secretariat;

2. Calls upon the Secretary-General, in respect of the United Nations public information policies and activities, to implement the following recommendations in accordance with relevant United Nations resolutions and in this regard to ensure that the Department of Public Information:

(a) Continues to disseminate information about the activities of the United Nations in coordination with the information services of other relevant agencies in accordance with the United Nations medium-term plan, the programme budget and their relevant revisions, pertaining, inter alia, to:

(i) International peace and security;

(ii) Disarmament;

(iii) Peace-keeping operations and peacemaking;

(iv) Decolonization and the situation in the Non-Self-Governing Territories in the light of the International Decade for the Eradication of Colonialism;

(v) The promotion and protection of human rights and in that context the 1993 World Conference on Human Rights;

(vi) The elimination of all forms of racial discrimination;

(vii) The advancement of the status of women and their role in society;

(viii) The promotion of the Convention on the Rights of the Child;

(ix) Problems of economic and social development, as well as international economic cooperation aimed at resolving external debt problems;

(x) The least developed countries;

(xi) The environment and development;

(xii) The elimination of foreign occupation;

(xiii) The campaign against terrorism in all its forms in line with General Assembly resolution 40/61 of 9 December 1985;

(xiv) International efforts against drug abuse and illicit drug trafficking;

(xv) Crime prevention and criminal justice;

(xvi) Support for the United Nations New Agenda for the Development of Africa in the 1990s and for the tremendous efforts of the African countries aimed at recovery and development, as well as the positive response by the international community to alleviate the serious economic situation prevailing in Africa;

(xvii) International efforts towards the total eradication of apartheid and support for the establishment of a united, non-racial and democratic South Africa and, where necessary, the role of the United Nations in this context;

(xviii) United Nations activities pertaining to the situation in the Middle East and the question of Palestine in particular, also including current developments in that region and the ongoing peace process;

(b) Provides the necessary level of information support for the activities of the United Nations in situations requiring immediate and special response;

(c) Continues its efforts at promoting an informed understanding of the work and purposes of the United Nations system among the peoples of the world and at strengthening the positive image of the system as a whole;

(d) Continues its briefings, assistance and orientation programmes for broadcasters, journalists and other media professionals from developing countries focused on United Nations-related issues;

(e) Provides, on the basis of its activities, information to the United Nations Educational, Scientific and Cultural Organization about new forms of cooperation, at the regional and subregional levels, for the training of media professionals and for the improvement of the information and communication infrastructures of developing countries;

(f) Continues its policies of cooperation with all agencies of the United Nations system, in particular with the United Nations Educational, Scientific and Cultural Organization;

(g) Continues its policies of cooperation with the news agencies in and of the developing countries, in particular the News Agencies Pool of Non-Aligned Countries;

3. Welcomes the decision by the Department of Public Information to establish a task force to look into the allocation of office space to the media at United Nations Headquarters;

4. Takes note of the report of the Secretary-General regarding the continuous and major publications of the Department of Public Information 4/ and urges all efforts to ensure timely production and dissemination of its major

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4/ A/AC.198/1993/5.

publications, in particular the UN Chronicle, the Yearbook of the United Nations and Africa Recovery, maintaining consistent editorial independence and accuracy, taking necessary measures to ensure that its output contains adequate, objective and equitable information about issues before the Organization, reflecting divergent opinions wherever they occur;

5. Expresses regret at the circumstances leading to the closing down of Development Forum, and encourages the Secretary-General to suggest ways and means to revive Development Forum, which has continued to receive a mandate of the General Assembly, and report thereon to the Committee on Information;

6. Requests the management of the Department of Public Information to review the Department's publications and proposals for publications to ensure that all publications fulfil an identifiable need, that they do not duplicate other publications inside or outside the United Nations system, and that they are produced in a cost-effective manner, and report to the Committee on Information at its sixteenth substantive session;

7. Reaffirms the importance attached by Member States to the role of United Nations information centres in effectively and comprehensively disseminating information about United Nations activities and the optimization of the resources allocated to the Department of Public Information;

8. Requests the Secretary-General to report to the Committee on Information at its sixteenth session for the purpose of evaluating the need for any subsequent integration, the results of the current trial of integrating 18 United Nations information centres with field offices of the United Nations Development Programme as mentioned in the report of the Secretary-General. 5/ The report should also contain the views of the host countries, bearing in mind the concerns of Member States that the integration of the United Nations information centres with the United Nations offices could adversely affect their functions in the developing countries;

9. Reaffirms the role of the General Assembly in relation to the opening of new United Nations information centres and invites the Secretary-General, as well, to make such recommendations as he may judge necessary regarding the establishment and location of new United Nations information centres;

10. Requests the Secretary-General to ensure that his proposals relating to the structure, functions and activities of the seven United Nations interim offices in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Ukraine and Uzbekistan fully comply with the mandates of the relevant General Assembly resolutions pertaining to operational activities and dissemination of information, taking into account the observations and recommendations of the report of the Advisory Committee on Administrative and Budgetary Questions, 6/ General Assembly decision 47/469 of 6 May 1993 and relevant General Assembly resolutions, especially resolution 47/199 of 22 December 1992;

5/ A/AC.198/1993/7.

6/ A/47/7/Add.16.

11. Takes note of the report of the Secretary-General regarding the allocation of resources to the United Nations information centres in 1992 7/ and would appreciate information on the status of the relevant General Assembly resolutions, as well as a detailed breakdown of resource deployment between centres and, while welcoming the action by some Governments with regard to the financial and material support for United Nations information centres in their respective capitals, calls upon the Secretary-General to study ways and means to rationalize and effect equitable disbursement of available resources to all United Nations information centres and report thereon to the Committee on Information at its sixteenth substantive session;

12. Notes the substantial contribution by the Government of Poland and requests the Secretary-General to continue to consult with the Polish authorities, with a view to finalizing arrangements for a United Nations information component at Warsaw;

13. Takes note of the report of the Secretary-General regarding the enhancing, reactivation and establishment of United Nations information centres 8/ and again calls upon the Secretary-General to implement fully and expeditiously the recommendation contained in paragraph 10 of resolution 47/73 B of 14 December 1992 regarding:

(a) The establishment of a United Nations information centre at Sana'a;

(b) The reactivation of the United Nations information centre at Tehran;

(c) The enhancement of the information centres at Bujumbura, Dar es Salaam and Dhaka, and submit the implementation report to the Committee on Information at its sixteenth substantive session;

14. Further calls upon the Secretary-General to submit a report on the implementation of the aforementioned recommendation to the sixteenth session of the Committee on Information;

15. Takes note of the report of the Secretary-General 9/ and encourages continued enhanced cooperation between the Department of Public Information and the University for Peace in Costa Rica as a focal point for promoting United Nations activities and disseminating United Nations information materials;

16. Takes note of the requests by Bulgaria, Gabon, Haiti and Slovakia for information components;

17. Expresses full support to the wide and prompt coverage of United Nations activities through a continuation of United Nations press releases;

7/ A/AC.198/1993/6.

8/ A/AC.198/1993/9.

9/ A/AC.198/1993/9, paras. 17 and 18.

18. Calls upon the Secretary-General to enhance the efficiency of regional radio units in the Department of Public Information;

19. Calls upon the Secretary-General to make every effort to create conditions more conducive to achieving parity by appropriate utilization of existing equipment in the press coverage of meetings in English and French;

20. Takes note of the recommendations and observations by Member States contained in the report of the Secretary-General 10/ and invites Member States that wish to do so to submit their observations and suggestions to the Secretary-General by 1 January 1994, on ways and means of furthering the development of communications infrastructures and capabilities in developing countries, with a view to consolidating recent experience in the field of international cooperation aimed at enabling them to develop their own information and communication capacities freely and independently, and requests the Secretary-General to report thereon to the Committee on Information at its sixteenth session;

21. Recommends, in order to facilitate continued contact between the Department of Public Information and the Committee on Information between sessions, that the Bureau of the Committee on Information, together with representatives of each regional group, the Group of 77 and China, in close contact with members of the Committee on Information, should meet, as required, and consult at periodic intervals with the Department of Public Information;

22. Supports decision 5 of the Preparatory Committee for the World Summit for Social Development, requesting the Secretary-General to develop and launch, on a priority basis, in cooperation with relevant specialized agencies, funds and programmes, a specific programme of public information on the core issues of the World Summit for Social Development as well as on its objectives;

23. Supports the decision of the Preparatory Committee for the International Conference on Population and Development, to be held at Cairo in 1994, requesting the Secretary-General to develop and launch, on a priority basis, a coordinated public information programme, in cooperation with competent United Nations bodies and specialized agencies;

24. Takes note of the request by Belarus and Ukraine to consider the development and implementation of a system-wide programme for the tenth anniversary of the Chernobyl disaster in 1996;

25. Also requests the Secretary-General to report to the Committee on Information at its sixteenth session in 1994 and to the General Assembly at its forty-ninth session in 1994, on the activities of the Department of Public Information and on the implementation of the recommendations contained in the present resolution;

10/ A/AC.198/1993/2.

26. Decides that the next session of the Committee on Information should last 12 working days and invites the Bureau of the Committee to explore ways and means of making optimum utilization of the Committee's time;

27. Requests the Committee on Information to report to the General Assembly at its forty-ninth session;

28. Decides to include in the provisional agenda of its forty-ninth session the item entitled "Questions relating to information".

* * *

14. The Special Political and Decolonization Committee (Fourth Committee) also recommends to the General Assembly the adoption of the following draft decisions:

Increase in the membership of the Committee on Information

DRAFT DECISION I

The General Assembly decides to increase the membership of the Committee on Information from 81 to 82 members and decides to appoint Gabon as a member of the Committee.

DRAFT DECISION II

The General Assembly decides to increase the membership of the Committee on Information from 82 to 83 members and decides to appoint Israel as a member of the Committee.

DRAFT DECISION III

Questions relating to information

The General Assembly requests the Committee on Information to consider on a priority basis, at its sixteenth session, recent initiatives regarding the creation of new United Nations information centres and to make a recommendation to the General Assembly on this matter, bearing in mind the need for improved criteria for the establishment of information centres.

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ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 89

SCIENCE AND PEACE

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Science and peace" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 5th and 7th meetings, on 15 and 20 October 1993 (see A/C.4/48/SR.5 and 7).

3. At the 5th meeting, on 15 October, the Chairman drew attention to draft decision A/C.4/48/L.3 relating to the item.

II. CONSIDERATION OF DRAFT DECISION A/C.4/48/L.3

4. At the 7th meeting, on 20 October, during the course of her statement, the representative of Costa Rica, on behalf of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, introduced draft decision A/C.4/48/L.3.

5. At the same meeting, the Fourth Committee adopted unanimously draft decision A/C.4/48/L.3 (see para. 6).

III. RECOMMENDATION OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

6. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft decision:

Science and peace

The General Assembly, on the recommendation of the Special Political and Decolonization Committee (Fourth Committee), decides to defer consideration of item 89 on science and peace until its forty-ninth session, and looks forward to the report of the Secretary-General as called for in General Assembly resolution 45/70 of 11 December 1990.

UNITED
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6 December 1993

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Forty-eighth session
Agenda item 90

QUESTION OF THE COMPOSITION OF THE RELEVANT ORGANS OF THE UNITED NATIONS

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Question of the composition of the relevant organs of the United Nations" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. At the 7th meeting of the Fourth Committee, on 20 October, on the proposal of the Chairman, the Committee decided to defer consideration of the item until the forty-ninth session of the General Assembly and recommended its inclusion in the provisional agenda of that session.

RECOMMENDATION OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

3. The Special Political and Decolonization Committee (Fourth Committee) recommends that the General Assembly should defer consideration of the item entitled "Question of the composition of the relevant organs of the United Nations" to its forty-ninth session and include it in the provisional agenda of that session.

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Forty-eighth session
Agenda item 116

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations". At the same meeting, the Assembly decided to allocate the item to the Special Political and Decolonization Committee (Fourth Committee).

2. At its 2nd meeting, on 6 October, the Fourth Committee decided to hold a general debate covering agenda items 18, 116, 117, 118 and 12, and 119, on the understanding that individual proposals on matters covered by those items would be considered separately. The general debate took place at the 4th to 6th meetings, on 14, 15 and 18 October.

3. The Fourth Committee considered item 116 at its 2nd to 6th and 12th meetings, on 6, 12, 14, 15, 18 and 29 October (see A/C.4/48/SR.2-6 and 12).

II. CONSIDERATION OF PROPOSALS

4. At the 2nd meeting, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples made a statement in which he gave an account of the relevant activities of the Special Committee during 1993 and drew attention to chapter VIII of the report of that Committee relating to

item 116 (A/48/23 (Part IV)) 1/ containing, inter alia, the related draft resolution submitted by the Special Committee for the consideration of the Fourth Committee.

5. The Fourth Committee also had before it the report of the Secretary-General relating to the item (A/48/436).

6. At its 12th meeting, on 29 October, the Fourth Committee adopted the draft resolution contained in paragraph 10 of chapter VIII of the report of the Special Committee (A/48/23 (Part IV)) by a recorded vote of 122 to none, with 3 abstentions (see para. 7). 2/ The voting was as follows: 3/

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Germany, Greece, Grenada, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zimbabwe.

Against: None.

Abstaining: France, United Kingdom of Great Britain and Northern Ireland, United States of America.

1/ To be incorporated in Official Records of the General Assembly, Forty-eighth Session, Supplement No. 23 (A/48/23).

2/ The representative of the United Kingdom of Great Britain and Northern Ireland made a statement in explanation of vote.

3/ Subsequently, the delegations of Armenia, Rwanda, the Syrian Arab Republic and Zambia indicated that they had intended to vote in favour of the draft resolution.

III. RECOMMENDATION OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

7. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations 4/ and the action taken by the Special Committee in respect of that information,

Having also examined the report of the Secretary-General on this item, 5/

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 e of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 47/14 of 16 November 1992, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 e of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations; 4/

2. Reaffirms that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power

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4/ A/48/23 (Part IV), chap. VIII.

5/ A/48/436.

concerned should continue to transmit information under Article 73 e of the Charter with respect to that Territory;

3. Requests the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 e of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

4. Requests the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

5. Requests the Special Committee to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the Assembly at its forty-ninth session.

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Agenda items 117 and 18

ACTIVITIES OF THOSE FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Report of the Special Political and Decolonization Committee
(Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled:

> "Activities of those foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa".

At the same meeting, the Assembly decided to allocate the item to the Special Political and Decolonization Committee (Fourth Committee).

2. At its 2nd meeting, on 6 October, the Fourth Committee decided to hold a general debate covering agenda items 18, 116, 117, 118 and 12, and 119 on the understanding that individual proposals on matters covered by those items would be considered separately.

3. At the same meeting, the Fourth Committee decided, without objection and in accordance with established practice, to consider, in conjunction with agenda

item 117, chapter VI of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to military activities and arrangements by colonial Powers in Territories under their administration. 1/

II. CONSIDERATION OF PROPOSALS

4. The Fourth Committee considered item 117 at its 2nd to 6th, 11th and 12th meetings, between 6 and 29 October (see A/C.4/48/SR.2-6, 11 and 12). The general debate on the items referred to above, including the present item, took place at the 4th to 6th meetings, between 14 and 18 October.

5. Also at the 2nd meeting, on 6 October, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples made a statement in which he gave an account of the relevant activities of the Special Committee during 1993 and drew attention to chapter V of the report of the Committee relating to item 117, 1/ as well as the relevant documentation (A/AC.109/1153, 1155-1158 and 1161). The Rapporteur also gave an account of the Committee's consideration, in pursuance of paragraph 14 of General Assembly decision 47/409 of 16 November 1992, of the question of military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and drew attention to chapter VI of the report of the Committee, 1/ as well as the relevant documentation (A/AC.109/1144, 1149 and 1151). In his introductory statement, the Rapporteur said that, in view of the recent developments concerning South Africa, the Special Committee had been holding consultations with a view to amending its recommendations to the General Assembly.

6. At the 11th meeting, on 28 October, the Chairman of the Fourth Committee drew attention to documents A/C.4/48/L.11 and L.12, containing amendments submitted by Papua New Guinea on behalf of the States members of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating, respectively, to the draft resolution contained in document A/48/23 (Part III), chapter V, paragraph 13, and to the draft decision contained in document A/48/23 (Part III), chapter VI, paragraph 14.

7. At the 12th meeting, on 29 October, the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced the amendments, as follows:

A/C.4/48/L.11 (amendments to A/48/23 (Part III), chap. V, para. 13)

(a) The title of the item would be replaced by:

1/ See A/48/23 (Part III). To be incorporated in Official Records of the General Assembly, Forty-eighth Session, Supplement No. 23 (A/48/23).

"Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination";

(b) The first preambular paragraph would be replaced by:

"Having considered the item entitled "Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination,";

(c) In the ninth preambular paragraph, the words "has played" would be replaced by "played";

(d) In operative paragraph 4, the word "apartheid" would be deleted;

(e) Operative paragraph 5, which read:

"5. Calls upon all States to maintain the existing measures against the apartheid regime as specified in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, annex to General Assembly resolution S-16/1 of 14 December 1989;",

would be deleted and operative paragraph 6 renumbered as operative paragraph 5;

(f) Operative paragraph 7, which read:

"7. Calls upon those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the Government of South Africa;",

would be deleted and operative paragraphs 8 to 15 renumbered as operative paragraphs 6 to 13;

(g) In new operative paragraph 11 (former operative paragraph 13), the phrase "and in the struggle against apartheid" would be deleted.

A/C.4/48/L.12 (amendments to A/48/23 (Part III), chap. VI, para. 14)

(a) Operative paragraph 5, which read:

"5. The General Assembly welcomes the important changes taking place in South Africa aimed at facilitating the commencement of substantive constitutional negotiations. The Assembly notes that, these developments notwithstanding, apartheid remains and that as a result there is a continuing threat to the peace and security of the region.",

would be deleted;

(b) Operative paragraph 6, which read:

"6. The General Assembly condemns the continued military and intelligence collaboration between South Africa and certain countries, which constitutes a violation of the military embargo imposed against South Africa by the Security Council in its resolution 418 (1977) of 4 November 1977.",

would be deleted;

(c) The succeeding operative paragraphs would be renumbered accordingly.

8. At the same meeting, the Fourth Committee adopted the amendments contained in documents A/C.4/48/L.11 and L.12 (see para. 7) without a vote.

9. At its 12th meeting, on 29 October, the Fourth Committee adopted the draft resolution contained in paragraph 13 of chapter V of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/48/23 (Part III)), as amended, by a recorded vote of 89 to 35 with 3 abstentions (see para. 11). 2/ The voting was as follows: 3/

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Grenada, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, Slovakia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

2/ A statement in explanation of vote was made by the representative of Belgium (on behalf also of the European Community and its member States).

3/ Subsequently, the delegations of Panama and Kuwait informed the Committee that they had intended to vote in favour. The delegation of Rwanda indicated that, had it been present at the time of the vote, it would have voted in favour, and the delegation of Armenia indicated that, had it been present, it would have voted against.

Against: Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Congo, Uruguay.

10. At its 12th meeting, on 29 October, the Fourth Committee adopted the draft decision contained in paragraph 14 of chapter VI of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/48/23 (Part III)), as amended, by a recorded vote of 92 to 34, with 3 abstentions (see para. 12). 2/ The voting was as follows: 4/

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Grenada, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Congo, Japan.

4/ The delegation of Rwanda informed the Committee that, had it been present at the time of the vote, it would have voted in favour.

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

11. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item, 5/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as all its other resolutions on this subject, including, in particular, resolution 46/181 of 19 December 1991, endorsing the Plan of Action for the International Decade for the Eradication of Colonialism, 6/

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that constitutes an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstructs efforts aimed at the elimination of colonialism, apartheid and racial discrimination is a direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Reaffirming that the natural resources are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories,

Concerned about the activities of those foreign economic, financial and other interests that exploit the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the

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5/ A/48/23 (Part III), chap. V.

6/ See A/46/634/Rev.1 of 13 December 1991.

inhabitants of those Territories and deprive them of their right to control the wealth of their countries,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the South Pacific Forum and the Caribbean Community,

Recognizing the crucial and decisive role that the imposition of international sanctions played in applying the necessary pressure on the South African regime to undertake significant measures towards the eradication of apartheid,

1. Reaffirms the inalienable right of the peoples of colonial and Non-Self-Governing Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. Reiterates that any administering Power that deprives the colonial peoples of Non-Self-Governing Territories of the exercise of their legitimate rights over their natural resources, or subordinates the rights and interests of those peoples to foreign economic and financial interests, violates the solemn obligations it has assumed under the Charter of the United Nations;

3. Reaffirms its concern over the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence;

4. Condemns those activities of foreign economic and other interests in the colonial and Non-Self-Governing Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism and racial discrimination;

5. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial and Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

6. Reiterates that the exploitation and plundering of the marine and other natural resources of colonial and Non-Self-Governing Territories by foreign economic interests, in violation of the relevant resolutions of the

United Nations, is a threat to the integrity and prosperity of those Territories;

7. Invites all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of colonial and Non-Self-Governing Territories over their natural resources is fully respected and safeguarded;

8. Urges the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial and Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

9. Calls upon the administering Powers concerned to ensure that no discriminatory and unjust wage systems or working conditions prevail in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

10. Requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of those activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

11. Appeals to mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

12. Decides to continue to monitor closely the situation in the colonial and Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the indigenous peoples and at promoting the economic and financial viability of those Territories, in order to facilitate and accelerate the exercise by the peoples of those Territories of their right to self-determination and independence;

13. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its forty-ninth session.

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12. The Special Political and Decolonization Committee (Fourth Committee) also recommends to the General Assembly the adoption of the following draft decision:

Military activities and arrangements by colonial Powers in Territories under their administration

1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the agenda of the Special Committee entitled "Military activities and arrangements by colonial Powers in Territories under their administration" 7/ and recalling its resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination and reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn.

2. Aware of the presence of such bases and installations in some of those Territories, the General Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States.

3. The General Assembly reiterates its concern that military activities and arrangements by colonial Powers in Territories under their administration might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the administering Powers concerned to terminate such activities and to eliminate such military bases in compliance with the relevant resolutions of the Assembly.

4. The General Assembly reiterates that the colonial and Non-Self-Governing Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The General Assembly deplores the continued alienation of land in colonial and Non-Self-Governing Territories, particularly in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

6. The General Assembly requests the Secretary-General to continue to inform world public opinion of those military activities and arrangements in colonial and Non-Self-Governing Territories which constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

7/ A/48/23 (Part III), chap. VI.

7. The General Assembly requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the Assembly at its forty-ninth session.

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Agenda items 118 and 12

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the following items:

"118. Implementation of the declaration on the granting of independence to colonial countries and peoples by the specialized agencies and the international institutions associated with the United Nations.

"12. Report of the Economic and Social Council"

At the same meeting, the Assembly decided to allocate to the Special Political and Decolonization Committee (Fourth Committee) agenda item 118, together with chapter V (sect. A) of the report of the Economic and Social Council, 1/ which relates to the item.

2. At its 2nd meeting, on 6 October, the Fourth Committee decided to hold a general debate covering agenda items 18, 116, 117, 118 and 12, and 119, on the understanding that individual proposals on matters covered by those items would be considered separately. The general debate took place at the 4th to 6th meetings between 14 and 18 October.

1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 3 (A/48/3/Rev.1).

II. CONSIDERATION OF PROPOSALS

3. The Fourth Committee considered items 118 and 12 at its 2nd to 6th, 11th and 12th meetings, between 6 and 29 October (see A/C.4/47/SR.2-6, 11 and 12).

4. At the 2nd meeting, on 6 October, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples made a statement in which he gave an account of the relevant activities of the Special Committee during 1993 and drew attention to chapter VII of the report of that Committee relating to item 118 (A/48/23 (Part IV)) 2/ containing, inter alia, the related draft resolution submitted by the Special Committee for the consideration of the Fourth Committee. The Rapporteur also stated that, in view of the recent developments concerning South Africa, members of the Special Committee had been holding consultations with a view to amending that Committee's recommendations to the General Assembly on agenda item 118.

5. During its consideration of the item, the Fourth Committee had before it the report of the Secretary-General submitted in pursuance of paragraph 22 of General Assembly resolution 47/16 of 16 November 1992 (A/48/224 and Corr.1 and Add.1-3).

6. At its 3rd meeting, on 12 October, the Fourth Committee granted a request for hearing to Mr. Carlyle Corbin of the Working Group of Non-Independent Caribbean Countries of the Caribbean Development and Cooperation Committee (A/C.4/48/3). At the 4th meeting, on 14 October, Mr. Corbin made a statement (see A/C.4/48/SR.4).

7. At the 11th meeting, on 28 October, the Chairman of the Fourth Committee drew attention to document A/C.4/48/L.13 containing amendments submitted by Papua New Guinea, on behalf of the States members of the Special Committee, to the draft resolution contained in document A/48/23 (Part IV), chapter VII, paragraph 15.

8. At the 12th meeting, on 29 October, the Chairman of the Special Committee introduced the amendments as follows:

A/C.4/48/L.13 (amendments to A/48/23 (Part IV), chap. VII, para. 15)

(a) The sixth preambular paragraph, which read:

"Recognizing the responsibility of the United Nations and the international community, as envisaged in the Declaration, to help the South African people in their legitimate struggle for the total elimination of apartheid through peaceful means,"

would be deleted;

2/ To be incorporated in Official Records of the General Assembly, Forty-eighth Session, Supplement No. 23 (A/48/23).

(b) In new seventh preambular paragraph (former eighth preambular paragraph), the phrase "and expressing the hope that these elections will lead to the establishment of a united, democratic and non-racial South Africa," would be added at the end of the paragraph;

(c) The former tenth preambular paragraph, which read:

"Recognizing that permanent peace and stability in South Africa can only be achieved when the system of apartheid in that country has been eradicated and South Africa has been transformed into a united, democratic and non-racial country, and reiterating therefore that all the necessary measures should be adopted at the present time to bring a speedy end to the apartheid system in the interest of all the people of the world,"

would be deleted;

(d) In new sixteenth preambular paragraph (former eighteenth preambular paragraph), the phrase "have been committed" would be replaced by "were committed";

(e) The former twenty-fourth preambular paragraph, which read:

"Noting with appreciation the continued assistance that has been extended to refugees from South Africa through the Office of the United Nations High Commissioner for Refugees,"

would be deleted;

(f) In operative paragraph 15, the phrase "returning refugees and exiles and released political prisoners" would be deleted;

(g) Operative paragraph 16, which read:

"16. Urges the specialized agencies and other organizations of the United Nations system to adhere to the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular with regard to increased support for the opponents of apartheid, and the use of concerted and effective measures aimed at applying pressure to ensure a speedy end to apartheid;"

would be replaced by:

"16. Urges the specialized agencies and other organizations of the United Nations system to increase their support for the forces working for the transformation of South Africa into a united, democratic and non-racial society, on the basis of the pertinent provisions of the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa;";

(h) Operative paragraph 17, which read:

"17. Stresses, in the context of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, the need for the specialized

agencies and other organizations of the United Nations system to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by acts of aggression and destabilization by South Africa;"

would be replaced by:

"17. Appeals to the specialized agencies and other organizations of the United Nations system to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which were adversely affected by acts of aggression and destabilization by South Africa;";

(i) Operative paragraph 18, which read:

"18. Urges all States, especially those that have economic, financial or other links to South Africa, to adhere fully to the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa until the establishment of a united, democratic and non-racial South Africa;"

would be deleted;

(j) Former operative paragraphs 19 to 24 would be renumbered as operative paragraphs 18 to 23.

9. At the same meeting, the Fourth Committee adopted the amendments contained in document A/C.4/48/L.13 (see para. 8) without a vote.

10. Also at the 12th meeting, the Fourth Committee adopted the draft resolution contained in paragraph 15 of chapter VII of the report of the Special Committee (A/48/23 (Part IV)), as amended, by a recorded vote of 90 to 6, with 33 abstentions (see para. 11). 3/ The voting was as follows: 4/

3/ Statements in explanation of vote were made by the representatives of Argentina, Belgium (on behalf of the European Community and its member States), Italy, New Zealand, Panama and the Russian Federation.

4/ The delegation of Rwanda informed the Committee that, had it been present at the time of the vote, it would have voted in favour.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Grenada, Guatemala, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Armenia, France, Netherlands, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, Uruguay.

III. RECOMMENDATION OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

11. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having considered the reports submitted on the item by the Secretary-General 5/ and by the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 6/

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item, 7/

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and resolution 1541 (XV) of 15 December 1960, as well as all other resolutions adopted by the Assembly on this subject, including, in particular, resolution 46/181 of 19 December 1991, endorsing the Plan of Action for the International Decade for the Eradication of Colonialism, 8/

Recalling also General Assembly resolution S-16/1 of 14 December 1989, the annex to which contains the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the South Pacific Forum and the Caribbean Community,

Welcoming the announcement that the first democratic elections will be held in South Africa on 27 April 1994 and expressing the hope that these elections will lead to the establishment of a united, democratic and non-racial South Africa,

Concerned that the objectives of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples have not been fully achieved,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Recalling its resolution 43/189 of 20 December 1988, concerning specific measures in favour of island developing countries,

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5/ A/48/224 and Corr. 1 and Add.1-3.

6/ A/AC.109/L.1805.

7/ A/48/23 (Part IV), chap. VII.

8/ See A/46/634/Rev.1 of 13 December 1991.

Bearing in mind the conclusions and recommendations of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York from 25 to 29 June 1990, 9/

Recalling relevant resolutions of the Caribbean Development and Cooperation Committee concerning the access of Non-Self-Governing Territories to programmes of the United Nations system,

Noting the assistance extended thus far to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and considering that such assistance should be expanded further, commensurate with the pressing needs of the peoples concerned for external assistance,

Stressing that, because the development options of small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing the importance of securing necessary resources for funding expanded assistance programmes for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Noting with concern the continuing effects of the acts of aggression and destabilization that were committed by South Africa against neighbouring independent African States,

Reaffirming the responsibility of the specialized agencies and other organizations of the United Nations system to take all the necessary measures, within their respective spheres of competence, to ensure the full implementation, without further delay, of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, particularly those relating to the extension of assistance to the peoples of the Non-Self-Governing Territories,

Expressing its appreciation to the Organization of African Unity, the South Pacific Forum and the Caribbean Community, as well as other regional organizations, for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of assistance programmes to the peoples concerned,

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9/ A/CONF.147/5-TD/B/AC.46/4, chap. II.

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the Non-Self-Governing small island Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea level rise, and recalling relevant General Assembly resolutions, in particular resolution 47/189 of 22 December 1992,

Recalling its resolution 47/22 of 25 November 1992 on cooperation and coordination of the specialized agencies and the international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories,

1. Takes note of the report of the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on his consultations with the President of the Economic and Social Council 6/ and endorses the observations and suggestions arising therefrom; 10/

2. Recommends that all States should intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions of the United Nations;

3. Reaffirms that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the full implementation, without further delay, of the Declaration on the Granting of Independence to Colonial Countries and Peoples and all other relevant General Assembly resolutions;

4. Reaffirms also that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspiration of the peoples of Non-Self-Governing Territories to exercise their right to self-determination and independence entails, as a corollary, the extension of all necessary moral and material assistance to those peoples;

5. Expresses its appreciation to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and urges all the specialized agencies and other organizations of the United Nations system to accelerate the full and speedy implementation of the relevant provisions of those resolutions;

10/ E/1993/98.

6. Requests the specialized agencies and other organizations of the United Nations system, as well as international and regional organizations, to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. Requests the specialized agencies and the international institutions associated with the United Nations, as well as regional organizations, to strengthen existing measures of support and formulate additional appropriate programmes of assistance to the remaining Trust and Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

8. Further requests the specialized agencies and other organizations of the United Nations system, in formulating their assistance programmes, to take due account of the conclusions and recommendations, entitled "Challenges and opportunities: a strategic framework", of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York in June 1990; 9/

9. Urges the specialized agencies and other organizations of the United Nations system to formulate programmes that will support the sustainable development of small island Non-Self-Governing Territories and adopt measures that will enable those Territories to cope effectively, creatively and sustainably with environmental changes and to mitigate impacts and reduce the threats posed to marine and coastal resources;

10. Urges the executive heads of the specialized agencies and other organizations of the United Nations system to formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and to submit the proposals as a matter of priority to their governing and legislative organs;

11. Recommends that the executive heads of the World Bank and the International Monetary Fund should draw the attention of their governing bodies to the present resolution and consider introducing flexible procedures to prepare specific programmes for the peoples of the Trust and Non-Self-Governing Territories;

12. Urges the specialized agencies and other organizations of the United Nations system that have not already done so to include in the agenda of the regular meetings of their governing bodies a separate item on the progress they have made in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

13. Welcomes the continued initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system and in coordinating the activities of the agencies in extending effective assistance to the peoples of Non-Self-Governing Territories, and calls upon the specialized agencies and other organizations of the United Nations system, as a matter of urgency, to contribute generously to the relief, rehabilitation and

reconstruction efforts in those Non-Self-Governing Territories affected by natural disasters;

14. Urges the administering Powers concerned to facilitate the participation of the representatives of the Governments of Trust and Non-Self-Governing Territories in the relevant meetings and conferences of the agencies and organizations so that the Territories may draw the maximum benefits from the related activities of the specialized agencies and other organizations of the United Nations system;

15. Appeals to the specialized agencies and other organizations of the United Nations system to increase humanitarian and legal assistance to the victims of apartheid;

16. Urges the specialized agencies and other organizations of the United Nations system to increase their support for the forces working for the transformation of South Africa into a united, democratic and non-racial society, on the basis of the pertinent provisions of the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa;

17. Appeals to the specialized agencies and of the organizations of the United Nations system to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which were adversely affected by acts of aggression and destabilization by South Africa;

18. Recommends that all Governments should intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations and, in that connection, should accord priority to the question of providing assistance on an emergency basis to the peoples of the Trust and Non-Self-Governing Territories;

19. Requests the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

20. Commends the Economic and Social Council for its debate and resolution on this issue and requests it to continue to consider, in consultation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, appropriate measures for coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

21. Requests the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

22. Requests the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution;

23. Requests the Special Committee to continue to examine the question and to report thereon to the General Assembly at its forty-ninth session.